

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

FLYING J, INC., et al.,

Plaintiffs,

vs.

TA OPERATING CORPORATION, et al.,

Defendants.

ORDER

AND

MEMORANDUM DECISION

Case No. 1:06-CV-30-TC

Pro se filer Jonathan Lee Riches, a federal prisoner, has filed a Motion to Intervene as Plaintiff under Federal Rule of Civil Procedure 24(b) and a Motion to Amend the Complaint. Rule 24(b) allows permissive intervention if the filer “is given a conditional right to intervene by a federal statute; or . . . has a claim or defense that shares with the main action a common question of law or fact.”

This case is an anti-trust case. Mr. Riches, in his motion, makes allegations that have nothing to do with the questions of law or fact pertaining to the case. And he does not cite to any statute, federal or otherwise, that gives him a conditional right to intervene. Rather, he states, for example, that TA Operating Corporation (which has since been dismissed through settlement) “violated my civil rights. I was locked in their bathroom for 3 hrs. I was overcharged for bubblegum and they were price gouging on my gas and mixed my gas with ½ H2O water causing engine damage to my Aston Martin DB9.” (Dkt # 374.) The motion goes on with more of the same.

For what are probably obvious reasons, Mr. Riches' motion to intervene (Dkt # 374) is DENIED. And so his Motion to Amend the Complaint (Dkt # 374) is also DENIED, as it is moot.

SO ORDERED this 2nd day of July, 2008.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
Chief Judge